

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 803 – SB 1178

March 29, 2017

SUMMARY OF BILL: Creates the offense of using a hand-held mobile telephone to make or receive a phone call while driving a motor vehicle in a school zone; classifies the offense as a Class C misdemeanor punishable by a fine not to exceed \$50; defines terms related to the legislation; requires the Department of Transportation (TDOT) to utilize the Department's permanent electronic overhead informational displays located throughout this state to provide periodic messages to the motoring public as to the provisions of legislation.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Exceeds \$3,800

Increase Local Revenue – Exceeds \$200

Assumptions:

- All law enforcement agencies that issue citations for the proposed offense will charge the maximum allowed fine of \$50.
- Pursuant to Tenn. Code. Ann. § 8-21-401(h)(1), the local clerks of the court retain five percent of fine revenue as commission.
- Twenty percent of offenders will not pay the fine due to indigence.
- The precise number of citations issued for the offense of using a hand-held mobile telephone to make or receive a phone call while driving a motor vehicle in a school zone is unknown; however, a minimum of 100 citations are estimated to be issued each year.
- The recurring increase in state revenue is estimated to be \$3,800 (100 violations x \$50 x 95.0% x 80.0%); the recurring increase in local revenue is estimated to be \$200 (100 violations x \$50 x 5.0% x 80.0%).
- Any increase in state or local government expenditures related to enforcement is considered to be not significant.
- Any impact on TDOT to use the overhead informational displays for communicating the provisions of this legislation to the public is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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